

US EPA ARCHIVE DOCUMENT

Dismissals

The following submissions were dismissed:

Name	Case No.
Ackley-Geneva Community School	RF272-87406
Beattlesford Road Gulf	RF300-21587
Cal Brekke	LFA-0301
Dickson Fuel & Distributing Company	RF304-3350
Eaton City School District	RF272-81210
Gerald Alexander	RF321-4417
Hamburg Quarry, Inc	RF300-19325
Hamilton Elementary #3	RF272-87078
Herman's Gulf Service	RF300-20935
John P. Lohrenz	LFA-0298
Lago Vista ISD	RF272-81478
Leroy Community Unit School District	RF272-81349
Lexington C.U. School District 7	RF272-81332
Marcellus Central School	RF272-83599
Oregon State Board of Higher Education	RF272-79083
Page Unified School District #8	RF272-81211
Romarco Corp.	RF300-19343
Salt Creek School District 48	RF272-87433
Spartan Community Unit School District 3	RF272-81496
Tom's Gulf Service	RF300-13525
Tonasket School District	RF272-87362
Top-Notch Texaco	RF321-11094
Trade Services, Inc	RF300-14525
Western Wayne Schools	RF272-87304
Wethersfield C.U.S.D. 230	RF272-87308
Williamsfield C.U.S.D. 210	RF272-87314

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, room 1E-234, Forestall Building, 1000 Independence Avenue, SW., Washington, DC 20585, Monday through Friday, between the hours of 1 p.m. and 5 p.m., except federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system.

Dated: October 14, 1993.

George B. Breznay,
Director, Office of Hearings and Appeals.
[FR Doc. 93-25793 Filed 10-19-93; 8:45 am]
BILLING CODE 6450-01-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-4791-9]

Standards of Performance for Asbestos National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to the Commonwealth of Virginia

AGENCY: Environmental Protection Agency.

ACTION: Informational notice re: delegation of authority.

SUMMARY: By letter of July 15, 1993, EPA Region III delegated to the Commonwealth of Virginia, Department

of Labor and Industry (DLI) the authority to implement and enforce provisions of the National Emission Standard for Hazardous Air Pollutants (NESHAP) for Asbestos, including revisions to the Asbestos NESHAP regulations promulgated on November 20, 1990. This approval was granted after EPA review of a request from the Virginia DLI for such authority.

EFFECTIVE DATE: July 15, 1993.

ADDRESSES: Comments may be submitted to Thomas J. Maslany, Director, Air, Radiation and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this section are available for public inspection during normal business hours at the above address; or, at the Virginia Department of Labor and Industry, Powers-Taylor Building, 13 South Thirteenth Street, Richmond, Virginia 23219.

SUPPLEMENTARY INFORMATION: By previous Federal Register Notice (FRN) dated August 27, 1991, EPA Region III announced the delegation of enforcement authority for all NSPS and NESHAP categories to the Commonwealth of Virginia State Air Pollution Control Board (SAPCB). In addition, that FRN also announced that all future revisions to NSPS and NESHAP regulations would be automatically delegated to the SAPCB,

subject to certain conditions. By letter dated October 28, 1992 to the Virginia Department of Air Pollution Control (DAPC), EPA confirmed the continuing authority of the SAPCB and DAPC to implement and enforce the November 20, 1990 revisions to the asbestos NESHAP regulations.

On September 1, 1992, the Virginia Department of Labor and Industry (DLI) submitted documentation to EPA Region III and requested delegation of authority to implement and enforce the asbestos NESHAP regulations for major source categories within Virginia, in conjunction with the DAPC (since reorganized as part of the newly created Virginia Department of Environmental Quality (DEQ)). Included with that request were copies of the Virginia Asbestos NESHAP Act which became effective July 1, 1992, the Virginia "Regulation for Asbestos Emissions Standards for Demolition and Renovation Construction Activities and the Disposal of Asbestos Containing Construction Wastes; Final Rule" which was adopted on August 25, 1992 by the Virginia Occupational Safety and Health Codes Board, and is identical to the EPA asbestos NESHAP for renovation and demolition operations; and a Virginia DLI Program Directive outlining DLI policies and procedures for scheduling of inspections and taking enforcement actions.

After a thorough review of the documentation submitted, including a

review of the administrative and legal capabilities of the DLI, EPA Region III approved DLI's request for delegation in a letter dated July 15, 1993, subject to the terms and conditions stated therein. EPA retains concurrent Asbestos NESHAP enforcement authority in Virginia, which it may exercise whenever the Agency deems federal enforcement necessary to achieve the objectives of the Clean Air Act.

Effective immediately, copies of notifications required pursuant to 40 CFR 61.145(b) for asbestos demolition and renovation projects to be conducted within the Commonwealth of Virginia shall be submitted to the Virginia Department of Labor and Industry, Powers-Taylor Building, 13 South Thirteenth Street, Richmond, Virginia 23219. Separate copies of such notifications need not be submitted to the EPA Regional Office.

Authority: This notice is issued under the authority of sections 111 and 112 of the Clean Air Act.

Dated: September 13, 1993.

Stanley L. Leskowski,
Acting Regional Administrator.

[FR Doc. 93-25760 Filed 10-19-93; 8:45 am]

BILLING CODE 5590-50-P

[FRL-4785-6]

HON/RACT Interface Draft Guidance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Draft guidance for public comment.

SUMMARY: This draft guidance describes an option that States can consider in implementing Reasonably Available Control Technology (RACT) under the Clean Air Act. Specifically, the guidance describes what the EPA is calling "presumptive alternative RACT" (PAR) for emission points that are both affected by the Hazardous Organic NESHAP (HON) and subject to the implementation of RACT.

The control strategies used by source owners and operators to comply with the HON can vary. In the absence of PAR, the implementation of RACT could create a disincentive to some of the strategies allowed for HON compliance. This draft guidance is intended to minimize constraints to flexibility with complying with the HON that may be created by the implementation of RACT, while at the same time attempting not to jeopardize the emission reductions that would be achieved by RACT implementation.

FOR FURTHER INFORMATION CONTACT:
Mark Morris (telephone: 919-541-

5416), Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina, 27711.

SUPPLEMENTARY INFORMATION: Title I of the Clean Air Act, as amended in 1990 (Act), contains provisions for the attainment of the National Ambient Air Quality Standards (NAAQS) for ozone and other criteria pollutants. Section 182(b)(2) of the Act requires that State implementation plans (SIP's) for certain ozone nonattainment areas be revised to require the implementation of RACT for control of volatile organic compound (VOC) emissions from sources for which the EPA published pre-enactment control techniques guidelines (CTG's), or for which the EPA will publish a CTG between the date of enactment of the 1990 Clean Air Act Amendments (1990 Amendments) and the date an area achieves attainment status. Section 182(b)(2) of the Act also requires the implementation of RACT for control of VOC emissions from major stationary sources not covered by a CTG.

The EPA has defined RACT generally as: the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility (44 FR 53761). RACT for a particular source is determined by the State on a case-by-case basis, considering the technological and economic circumstances of the individual source. Further information on CTG's and the definition of RACT can be found in the Federal Register notice cited above.

Prior to amendment of the Act, the EPA had published 27 CTG's. Each CTG describes techniques available for reducing emissions of VOC from one or more categories of sources. The primary purpose of each CTG is to inform the State and local air pollution control agencies of the control techniques available for the class of sources covered by the CTG. In addition to information on control techniques, each CTG contains recommendations to the States of what the EPA calls the "presumptive norm" for RACT, based on the EPA's evaluation of the capabilities and problems general to the industry. This means that if the State requires the control recommended in the CTG, then the EPA will approve such a requirement as meeting RACT for a source. On the other hand, if the State makes a RACT determination that is less stringent than the EPA presumptive norm, then a technological and economic feasibility analysis must be performed to justify deviation from the presumptive norm. Section 183(a) of the

Act requires that CTG's be issued for thirteen additional categories of stationary sources of VOC emissions within three years of enactment of the 1990 Amendments.

Section 112 of the Act requires that emission standards be promulgated for categories and subcategories of major sources of hazardous air pollutants (HAP's) and such area sources as the Administrator finds warrant regulation. One hundred eighty-nine pollutants are listed as HAP's, many of which are also VOC's. Consequently, standards promulgated under section 112 will affect some of the same emission sources that will be regulated under section 182(b)(2). The HON is one such regulation to be promulgated under Section 112.

The proposed HON rule was published in the Federal Register on December 31, 1992 (57 FR 62608). Since the HON has not been promulgated, it may be revised in response to comments received from the public. These revisions could include changes in the emissions averaging provisions, which would likely necessitate revision of today's draft guidance.

The proposed HON includes provisions for process vents, transfer operations, storage vessels, wastewater operations, and equipment leaks associated with the manufacture of synthetic organic chemicals. The following CTG's have already been issued and address some of the same emission points as the proposed HON: (1) The Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Processes CTG (December 1984); and (2) the SOCMI Fugitive Emissions CTG (March 1984). The EPA anticipates issuing other CTG's under section 183(a) which will address other HON emission points, including: (1) The SOCMI Reactor Processes and Distillation Operations Processes CTG, which was published in draft form for public comment in December, 1991 (56 FR 64785); (2) the Volatile Organic Liquid (VOL) Storage CTG; and (3) the Industrial Wastewater CTG. Drafts of the latter two are under development and expected to be published for public comment soon.

As discussed earlier, the implementation of RACT is required not only for those sources for which a CTG has been, or will be, issued but is also required for all other major stationary sources of VOC emissions. Today's notice contains draft guidance to States on the interface between the HON and both CTG RACT rules and non-CTG RACT rules for major sources. However, since CTG's have been issued, or will be issued, for the sources affected by the